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BY ECF and BY HAND

Honorable Deborah A. Batts
United States District Court
Southern District of New York
500 Pearl Street, Room 2510
New York, NY 10007

Re: *New Jersey Carpenters Health Fund v. NovaStar Mortgage, Inc.,
et al., No. 08-cv-5310 (DAB) (S.D.N.Y.)*

Dear Judge Batts:

We represent Plaintiffs in the above-captioned matter. As discussed in the accompanying joint letter, the parties have reached agreement on a proposed schedule, except for one area of disagreement. Specifically, Plaintiffs believe there should be dates certain set for the exchange of expert reports while Defendants would like alternative, later, floating dates tied to this Court's decision on class certification. Assigning fixed dates in the pretrial schedule is standard practice that ensures there will be no undue delays in the prosecution of the action. The need to avoid such potential delays is particularly acute here where the action is already seven years old. For these reasons, we respectfully request that dates certain be fixed in the schedule.

Respectfully submitted,

/s/ Joel Laitman

Joel Laitman

JL/tag

cc: All counsel (via ecf)